

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DENNIS A. RHODES,
GERALD A. BENDER and
EDWARD H. WOLFERD, JR.,
individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

ROSEMARY DIAMOND, FRANCIS S.
HALLINAN, DANIEL G. SCHMIEG,
LAWRENCE T. PHELAN, JUDITH T.
ROMANO, FRANCIS FEDERMAN,
THOMAS M. FEDERMAN,
PHELAN HALLINAN & SCHMIEG, LLP,
and FEDERMAN & PHELAN, LLP,

Defendants.

Civil Action No. 09-cv-01302-CDJ

JURY TRIAL DEMANDED

PLAINTIFFS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Pursuant to Federal Rule of Civil Procedure 15(a)(1), Plaintiffs respectfully move for leave to file their proposed Amended Complaint in the form attached here as Exhibit 1. In support of this motion, Plaintiffs rely on the accompanying Memorandum of Law.

Dated: August 19, 2011

Respectfully submitted,

BHN LAW FIRM

By: /s/ John G. Narkin
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**Attorneys for Plaintiffs and
Members of the Proposed Class**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 19th day of August 2011, a true and correct copy of Plaintiffs' Motion for Leave to File Amended Complaint and accompanying memorandum of law were served via the Court's ECF filing system and by U.S. First Class Mail upon counsel for Defendants, Daniel S. Bernheim 3d and Jonathan D. Bart, 1500 J.F.K. Boulevard, Suite 910, Philadelphia, Pennsylvania 19102.

/s/ John G. Narkin
John G. Narkin